

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 11.11.2019

Complainant : Sh. Rohit - Present.

Respondent : The Chief Executive Officer,
Delhi Jal Board, GNCTD
Through Shri Adesh Kumar,
Assistant Engineer.

Shri D. Ghosal,
Dy.G.M, Engineers India Limited

Shri Vishal Kaushal, Manager,
M/s. DSEL Ltd. – Present.

Grievance No. : PGC/2019/A.II/DJB/24

1. Brief facts of the case

1.1 Shri Rohit, the complainant, has filed a grievance petition before Public Grievances Commission stating that his house No.B-138, Gali No.06, Gokul Pur Village was structurally damaged because of the interceptor sewer work of DJB carried out by M/s. EIL (M/s. DSCL Co.) on 22.8.2017. Reportedly, M/s. EIL was micro tunnelling below the dwelling units of the complainant due to which his houses got damaged. However, despite a lapse of considerable period, needful action has not been taken by the respondent department with regard to payment of compensation. The complainant has requested for grant of compensation at the earliest.

2. Facts emerged during the proceedings.

2.1 As directed on the last date of hearing, Shri D.Ghosal, Dy.GM, M/s. Engineers India Ltd. filed a report which has been taken on record. It states that *"The house No.B-138 was inspected on 05.11.2019 in the presence of Sh.Rohit S/o. Sh.Jagmohan. On re-assessment of damages in house, it was noticed that crack in 02 no. walls has increased. Since the walls under consideration had already been considered as "Re-built/Reconstruct" in earlier estimate, therefore, further damages in 2 no. walls has not affected the estimated amount.*

Engineers India Limited is only executing the Committee's recommendation and has no authority to modify/enhance the recommendation.

Shri Jagmohan (owner of house as per MCD report) has given consent to accept a cheque in favour of his son, Mr. Rohit (complainant).

A copy of the House Plan of Shri Jagmohan dated 5.11.2019, copy of measurement of the total area of the house along with photographs and estimate for house repair has also been enclosed. A copy of consent letter dated 30.10.2019 by Shri Rohit Kumar/Sh.Jagmohan (complainant) is also enclosed with the status report whereby the complainant has stated that he is agreeable to accept the compensation of Rs.15.25 lac in respect of his house No.B-138, Gokulpur, Delhi, as offered by M/s. EIL Ltd. Further, he is agreeable to withdraw his grievance petition from PGC once the amount of compensation is received by him.

2.2 Shri Rohit, the complainant, present has agreed and confirmed to accept the amount of Rs.15.25 lacs towards compensation in respect of his House No.B-138, Gokulpur, Delhi and do not want to pursue his case further in PGC. Further, a cheque bearing A/C No.510101005693631 (149138) dated 01.11.2019 drawn on Corporation Bank, B.C. Place Branch, New Delhi amounting Rs.15,25,000/- has been handed over to Shri Rohit, the complainant, today towards full and final settlement of his claim in respect of his property No.B-138, Gali No.06, Gokul Pur Village, Delhi. The same has been received by Shri Rohit, the complainant, before the Commission today and given his acknowledgement.

2.3 Although the complainant has accepted the amount of compensation, the Commission is partially satisfied with the procedure adopted by M/s. EIL Ltd. with regard to calculation of amount of compensation. Shri D. Ghoshal, Dy.GM, M/s. EIL Ltd. has apologised for earlier conduct for not submitting an assessment report as directed by the Commission. He requested to remove the negative remarks made by the Commission with the assurance that such conduct shall not be repeated in future.

2.4 The Commission accedes to the request of the Dy.G.M. M/s.EIL Ltd. with the hope that its directions shall be complied strictly in future. The Commission appreciates and is satisfied over action taken by M/s. EIL Ltd. in resolving the grievance of the complainant.

3. Directions :

3.1 In view of the fact that Shri Rohit, the complainant, has received the compensation amount of Rs.15.25 lacs from Dy.G.M., M/s. Engineers India Limited towards full & final settlement in respect of his property No.B-138, Gali No.06, Gokul Pur, Delhi, and requested to close his grievance petition, the case of the complainant stands disposed of in the Commission.

3.2 However, East Delhi Municipal Corporation, Delhi Police and BSES YPL is advised to cooperate with the complainant and ensure that the complainant is not harassed in any manner during repair/construction of his house otherwise Commission would be constrained to recommend strict action against the officers of these organizations, because in a similar case of Shri Deepak Rana, it was noted that the complainant was harassed and had to approach the Commission.

(MRS. MADHU SHARAN)
MEMBER(PGC)

No. PGC/2019/A.II/DJB/24

Date:

Copy to:

1. The Chief Executive Officer, Delhi Jal Board, GNCT of Delhi, Varunalaya, Phase- II, Karol Bagh, New Delhi-110005.
2. Sh. D. Ghosal, Dy.G.M, Engineers India Limited, R&D Complex, Sector-16, Gurgaon-122001.
E mail: debasish.ghosal@eil.co.in
3. The Executive Engineer (ISP), Delhi Jal Board, Govt.of NCT of Delhi, Varunalaya Phase-II, Jhandewalan, Karol Bagh, New Delhi-110005.
4. Shri B.S. Narula, Project Manager, M/s. DSEL Ltd. E-9, IIIrd Floor, South Extension, Part-II, New Delhi-110049.
E mail: birinder1966@gmail.com, dsc.somnath@gmail.com,
vishalkaushal.dsg@gmail.com
5. The Dy.Commissioner (Shahdara/North), East Delhi Municipal Corporation, Keshav Chowk, Shahdara, Delhi-110032.
6. Sh. Adesh Kumar, Asstt. Engineer (Civil), Delhi Jal Board, Varunayala, Jhandewalan, New Delhi.
7. The Head Customer Care, BSES YPL, Corporate Annexe-Ist floor, CBD-III, Aggarwal Fun City Mall Karkardooma, Delhi.
8. The SHO, Police Station Gokul Puri, Delhi-110094.
9. Shri Rohit.

